1895-96
(L.R.)

File No. 124 of 95
Serial No. 1-11

Sub:— Appeal of Gurupadappa of Asagodu Jagalur Taluk regarding the patali claim

P.F. 32 of 96.

G. R. S. IX-5]

Previous references. 1895-1896

192 .

(L.R)

File No. 124 of 95

Serial Nos. 1-11

Later references.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1—11

Major ~~Part~~ B for March 1897

SUBJECT.

Appeal of Gurusamiah of Nagodu, Jagalur Taluk, regarding the Patti claim

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Commissioner

MJ

MJ

WD 2233—GPB—20,000—14-6-20

Correct

Indexed

BSK

3

Précis of the records connected with the Patelaiti of Asagode village Jagalur Taluk, Chitaldrug District.

The facts of the case are briefly as follows:—

Extract from the Inam Commissioner's order

"The office of Patil of Asagode originally belonged to the Hiscidars named Bharamappa, Poolda Bharamanna, Kalgire Lingaiya & Kerede Jaggi Timmaiya. All the 4 families had the enjoyment of the office until the Polygar settlement, when Gurappa a descendant of the first of them was appointed Officiator. He died in 1885 & was succeeded by another person named Kariappa belonging to the same family. The other Hiscidars died but did not succeed. The office again became vacant by the death of Kariappa on 25.8.93. The sons of the deceased as well as 3 other persons belonging to the same family (viz., Nos. 5 & 7 in the annexed genealogical table) claim the office. The representatives of the other Hiscidars (viz., Nos. 3 & 6) also claimed the office on the ground that as the first family had the enjoyment of the office from 1865 to 1893 they should now

death on 25.8.93. In this the Govt ordered that the Kaukapuke Dist be in charge of the Public Trustee appointed. Thereafter the following applications were made to the Govt for the vacancy, by the different Assessors; viz,

Mr. No. 2 is the application 9.8.93. days he was acting the duty of the Public T.C. during the interval between the 1st application & the 2nd official appointment in 1885.

Mr. No. 3 is the application of the 1st official Trustee Mr Lawrence 9.8.93 to be made the Registrar. Govt that date, & 7.9.93 should be appointed Registrar & that one of them be made the Registrar. She had only before applied on 23.2.93 (Mr No 2) alleging (falsely) that she was already a Registrar that the deceased Registrar was acting as her Deputy & that therefore she should get the, vacated Registrarship & that the Assessor should be made Registrar to the office.

Mr Nos 4, 5 & 6 are applications from 9, 3 & 2. Such must be appointed by them as each is a Registered Assessor.

Mr. No 2 is the application for the office 9.8.93.

On this the Amildar examined the different claimants ~~applicants~~ on 9.12.93.

Ph: No. 7 is the deposition of the deceased Kariappa's widow Nirgavva. States that her eldest minor son Gurupadappa shd be made Patil & that F. her husband's 1st. cousin should be appointed Gumasta during her son's minority.

Ph: No 8: F deposes that he looked after the duties once, after the death of the 1st. officiator but was removed after Kariappa was permanently appointed; & that he has no objection for either Gurappa's widow or Kariappa's eldest of the minor sons being appointed Registerdar & himself appointed Gumasta.

Ph: No: 10: A states that he has no documents to prove his title but that reference may be made to the Govt. records of 1865, which contains an entry that his father was the 2nd. Amldar of the office.

Ph: No: 9: is deposition of Gurappa's widow Sankawa. States that she should be made the Registerdar & ? appointed her Gumasta.

Ph: No 11: B states that the Patil Register contains an entry that his ancestor was the 3rd. Amldar.

Ph No 12: D states that the Patil Register of 64-65 contains an entry that his grandfather was a Hissedar.

Ph: Nos 13, 14 & 15 & 16 are the tables of descent as given out by the above deponents.

on 10.12.93 the claimants
D in their application (Pl: No. 17) b
to that they produce certain
documents, as called for, to prove
their title to the office; viz, Copy
the Register of Gowdergalu of 14.1.58 (Pl: No. 18)
Copy of Barabahalli Register of 1861 (Pl: No. 19),
also copy of the extract from the
Kaveri Polgi Register of 1878 of Petagode village (Pl: No. 21).

As per Register of 1865		Officiator at present	To be settled now	
Name of Registerder	Name of officiator		Person recommended by the Amildar	Amildar's opinion
3	4	5	6	10
1 Guraiyya 2 Dodda Bharamaiyya Siddaiya 3 Karadé Kaji Rangaiya 4 Kalgéri Sidlingaiya	The same individuals.	Gur-affa	Guraffa son of Bhara-maiya	Guraffa also called Guraiya has been doing duty since 1865. The Registerders & Amildars consent to his being appointed as officiator in the future. Hence as he is also literate & competent he may be appointed.

After so much enquiry the Amn. sent his report to the District on 14.1.94 (Pl: No. 25) giving an abstract of the above depositions & concluding with the following observations.
"The enjoyment of the Patel office has all along from 1865 to 1893 been had in Guraffa's family. On Guraffa's decease Kariaffa had succeeded to the office on the orders of the late Chittaldroog Sub Div: Apl. Commr. No. 285 of 31.12.85. The existence of the numerous Amildars for the Patel's no pieces rise to many factions in the

on 15.7.95 & the latter appealed
by petition, praying, appealed
to the Govt on 2-9-95. This appeal
was disposed of on 12.10.95 when
the order of the Sy Commr was
reversed and the appellant was
held entitled to be registered &
that during his minority a
Jamadar should be appointed
having regard to the wishes of the
mother of the minor. Thereafter
A & B submitted a petition to
H. H. the Maharaja Regent on
24.10.95 complaining against
propriety of the order of the Govt
on the face of the above said
proceedings of the Dewan. This
petition which was referred to this
office contains the following order
of the Dewan, viz, "Rev: Secy —
Let me see the file" & is dated 23.2.96.
Another petition was submitted by
A & B on 4.6.96 to H. H. the
Maharaja Regent, which reached
this office on 3.12.96 & thereafter
the records were called for
from the Sy Commr & returned
it on 4.7.97.

Para 5

Para 6

Misc 1

1. The Headmaster & Village
reported on 27.8.95 of the Patel
Kasiappa

be allowed to hold it for three.
On this the Amildar
on 4.1.94 wrote to the Dy Commr
for orders, recommending that
the eldest son of the deceased,
viz, Gurupadappa (Appellant to Govt)
should be made the Sarvarddar
& that a Gumasta should be
appointed by the Govt during
the minority of the said Gurupadappa
Thereon the Dy Commr on 3.2.94
ordered the Amildar to have
regard to a recent Govt Circ
mig, No 10267-75/1055 of 3.1.94, in
the disposal of the matter. On
this the Amildar sent his report
of 18.2.94, recommending
A & B (in notable) to be Revenue
& Police Patils, respectively as the
village in question needed 2 Patils,
being a large one & adjoined the
British territories. The Dy Commr
thereafter passed orders on 5.4.94
sanctioning the recommendation
of the Amildar, placing reliance
on the principle enunciated
in the above said Govt Circ.
This order was carried into effect on

7

village & I believe the appointment of any one to the Patelii is likely to affect the proper discharge of the duties of the office. Nevertheless it seems to me now that Gangabhaiji, a minor aged 15, the son of the deceased Patel Kesaji may be appointed. The village contains 250 houses, has a population of 1154 & the Jamabandi accounts for Rs 1854-55 & is thus a large village. Chapis occur very frequently in the village which is at the boundary of other majority Talukas. Hence the place necessitates the selection of an able & competent Gumasta for the Patelii. Most of the Patelii at present existing about the Talukas have formed themselves into different factions & are mindful of their own interests. It is difficult to believe that if any of the claimants are appointed Gumastas, the work will go on smoothly, &c &c. Though Gangabhaiji is a close Varander to the family of the deceased, yet from the present circumstances of the village it is not easy to say that he can fulfil the work. I pray for orders as to the appointment of the above said Kesar as Patel & also the selection of a competent person as Gumasta.

Two legal petitions (from the claimants A & B (Pris No 23) & C (Pris No 24)). The latter petn states that the Dist Collr recommended that the Patelii should be resp

registered in the name of the deceased Patel's eldest son should not be given effect to, being unjust that only one family of the Hereditary should be enjoying the office forever. Last carries besides the incident of a perpetual dispute. He also solicits reference to Govt. for the 25 of Feb: 94.

2. On this the Dy Commr on 3.2.94 drew the Govt's attention to Govt. Ord: No: 10257-5 dt 3.1.94 & R 1055 attached him to dispose of the case in accordance therewith. A copy of the said Govt. memorandum. Pr: No 27.

Pr: No 26

3 On this the Dy Commr examined on 29.8.94 the Hereditary viz. S/Shri D, A, T, G, S, & V & (Vide Evidence 28, 29, 30, 31, 32, 33 & 35 respectively) who have each deposed that the Hereditary may be appointed by turns. The Patels belonging to the family were also examined (Vide No: 34) & he stated that as he was unable to do duty he may be appointed. The reports of the village who were examined (Vide No: 36) have deposed that they consent to either of the Sons being appointed. On 5.9.94 the Dy Commr, the result of the enquiry

Pl: No 46 & also Pl: No 20/2

Similarly on 16.10.94 Basappa, the first family petitioned the Dy Commr. against the appointment of distant members to succeed Kariappa, while many of the members of the 1st family were in existence.

On this the Dy Commr. issued notices to the parties & on their appearance seems to have asked them to produce the orders that were passed in 1885, after the death of the 1st officiator. On 12.12.94 A & B produced with their petn, authenticated copies of the proceedings of 1885 on the subject. They state in their petn that the enclosures will show that after the 1st officiator's death F was appointed temporarily by the Asst Commr to look after the duties; that he was found fault with in reference to a case regarding cattle found; that Kariappa was appointed on the orders of the Sub: Divn officer No 298 of 3.1.86, but it does not say whether Kariappa was to be either a registerdar, or to be a Gumasta for the widow of the 1st Officiator.

[Note: The report of the Asst Commr of 22.12.8. states that he recommends Kariappa to be appointed to the office as he once before, viz, when Gurappa was entangled in a criminal case, looked after the duties.] that they were not favoured with any endorsement to their

* Pl: Nos 47 48

** Pl: No 50

*** Pl: No 49 4 papers

Vide Pl: No 49/1

Vide Pl: No 49/3

Vide Pl: No 49/2

Vide No 49/4

to their then petns claiming for
the vacant post; & that as they
were now appointed on the orders
of this Huzur to have regard to the
Govt Pro: they may be given the post.

Thereon the Dy Commr called for Vide Ph: No 57
the depositions of Guraiya & the other
Hissedars given in 1878-79 i.e. during
the Pucca Polgi settlement, when Guraiya
was appointed officiator. The original
depositions are contained in Ph: No: 1/52
Ph: No 2/52 is an authenticated copy of it.
A copy of all the extracts from the
various registers of 1885 referred to
above as Ph: No 49 was received from
the Asst. (Vide Ph: No 53 containing 25 pages).
The Dy Commr thereafter passed
the following orders on 5.4.95. (Ph: No 40)
"The office has become vacant
by the death of Kariappa. The sons
of the deceased as well as 3 other
persons belonging to the same family
claim the office. This is opposed
by the representatives of the other
Hissedars. The policy of the Govt
is to give every Hissedar an opportunity
of holding the office for some time.
The office has been in the enjoyment
of the 1st family for a long time. In
the 3rd family, no competent person
is reported to be forthcoming.

of 3rd January 1874.

Tal. Nadiad 1938 enquiry the Asst. has in reply

9 observed that the 4 Visvadars named in the register of 85 years enjoying the privi. of the settlement of the Talla Pkg; that after that date (i.e. 1878) the names of the 4 Visvadars have been enjoying the whole produce; that Petitioners 1 & 2 are members of the 4th family that therefore it seems now that the 4 Visvadars have a preferential right to that of the 4th Visvadar that, besides, the people of the village are not for the appointment; that 3 & 5 have been holding Patels of other villages; that on enquiry in the village as to who should be appointed & who would be likely to be consented to by the ryots, he found that the villagers wanted 4 & 3, the representatives of the 2nd & 4th Visvadars, to be appointed; that he found them to be competent; that there was no competent person in the 3rd family; that he forwards the depositions, in which all the witnesses have unanimously said that they consent to any one being appointed to do duty by turns; that he forwards a statement showing the income of the village; that another village is attached to this Patel; that

there is much work to be done both
in the Rev: side as the Bounds to
have to be just & in the Police side as
the village requires police watch
as it adjoins the British territories;
that therefore it is expedient that
2 Patels shd be appointed & that of
Nāṛ the Rev: Patel & B, Police Patel;
& that he is confident that work
will get on well with this arrangement.

4. On this 2nd Obj: the 4th family petitioned vide No 45
to the 4th Journ: on 29.7.94 stating
that the villagers have consented to
his being appointed Patel; that there
are besides himself many other
Hissedars in the Nāṛ family; that
while as the members of the other families
ought not to have been recommended;
that he is ignored on the ground
that he holds the Patelki of another
village; that the village of which
he is Patel is a Sēkhirad village;
that though he had no hereditary
claims to this office, he was obliged
to take it up after the late famine
was over; & that his brothers (Pt.)
case is similar to his.

Note: - The pet: refers to these
his claims in the new Govt: No:
of 3rd January 1894.

assembly of October 1894 & stating that the Govt. Pso: by virtue of which they were appointed should not be allowed to be overruled; & that they should be continued as Patels till the decision of H. H. The Maharani Regent on the subject is known.

On 4.6.96 A & B submitted a reminder petn. to H. H. The Maharani Regent. This was registered in the Pte on 15.12.96 & the Ver: Records, which were sent for, was received from the Dy Commr. on 4.1.97.

Re. 12 in the Opn file.

M.K.

29/

13

Pub. Memorandum (14) of the 2nd Issue
& Variation Pleas (15) of the 4th Issue
are reported to be competent to and
the duties of the office of Pshkr. The
former is appointed Dep. Pshkr & the
latter Police Pshkr. In so doing,
I shall reliance on the principle
enunciated in the proceedings
of the Govt in (1867-75) 3.1.3
R. 1055 14.
This order was communicated to the
Asst. Jedge reported on 1.7.95 the
date of hearing brought it into
effect.
(Note: The Dep. Pshkr began this
to relate to the proceedings had by
the Govt & was examined against)

On 19.7.95 the deceased Plffs
son Gurugadayya appealed to the
Dy Commr against the above order of the
Govt on the following grounds.
1 That the respondents & their ances-
tors had no enjoyment of the Patel
Hak since more than 60 years & that
if they had any it was barred by
limitation.
2 That the Govt Rs: on which
reliance is placed by the Lower
Court does not apply to the case.
3 That the lower court erred in
affirming the order of the same Court
in the previous dispute between the
appellants father & the respondents
decided against the latter.

No / in the appeal
one.

This appeal was disposed of by
Govt on 2.10.95 & the following day in the same
order was passed.

"The 2nd Jammabandi cannot be
upheld. The deceased Salil has left
a son who is a minor & he is
entitled to be registered. During
his minority a Conjoint Guardian
will be appointed by the Dy Commr
& before doing so, the wishes of the
mother of Gurupadapja will be
ascertained. It is unnecessary
to split the charge into Pillai Revenue
One Guardian seems sufficient."

On 24.10.95 the respondents
A & B submitted a letter to A.C.
The Collector, Legal pointed that
they were appointed Trustees by the order
of the Dy Commr passed in accordance
with the proceedings of the Diwan that
they were deprived now of their office
by the order of the Govt & that they
do not intend to make their living by
this Pillai alone. In this letter is
contained the order of the Diwan dt 23.12.95
calling for the file & also the order of the
Govt dt 26.12.95 to submit it.

On 26.2.96 A & B submitted a
letter to the Diwan praying reference
to enquire into No 20, page No 65 of
the proceedings of the Registrar

19

Page 34 of (Bk. Index)
of M. No. 53.

Translation of Pl. No. 1/49 : Extract from the Cr. Register of 1885 No. 24 of 84.8.95 of the Jagatsinghpur Police addressed to the Sub: Div: Officer, Kendrapara

"The officiating Patel, Gurudia of Asagada village died on the night of 6.3.85. I have therefore enclosed the records connected with the enquiry on the matter & succession to him. The deceased Gurabba has no sons. He had 2 wives one Kaura & Jagurani. There are 3 applicants for the Patelship among the Pahadias & give their account & each of them in detail. On referring to the Village Register it will be seen that 4 names are mentioned as Registered viz. 1 Gurudia, 2 Dadhi Baramanja 3. Karibi Bapi Jaga-nja & 4. Kalpari Bisalinganja. Of these Gurudia is the person who is now dead. He has two sons Baramanja & Dhanu 2 Karibi sons Kerinjha & Jagannath (3). These two apply for the post. The 2nd Registered Dadhi Bhramara has one son Bhaktara son Bhramarba (of) & the 3rd Registered man Bishwambara (3) also apply. The latter claims to be the Karibi son of the Register. The 4th Registered Kalpari Bisalinganja (2) also applies. The latter is stated to be the brother of the Registered Bisalinganja. Thus the Pahadias of the 4 Registered claimants the applicants & they are all 3 brothers age & Sisters. One Kerinjha & Jagannath (3) belonging to the

1st family of deceased Zaraiffa, are more intelligent & better fitted to manage the work than the representatives of the 2nd, 3rd & 4th Registered sons A, B & C. This is an important village containing a cattle pound & requires a fully Qualified man to be appointed. I am further of opinion that while there are in existence Wasiatas of the deceased fit to hold the office & claiming it, there is no necessity for selection from among the different Heredars. Sankawa the father of the deceased says that he should be made the Barwardar & that Zariaffa should be appointed Jumadar in his behalf. The father of Sankawa states that Sankawa may be appointed Barwardar but that Zariaffa should not be appointed Jumadar but that Ghanshiaffa 2nd should be appointed instead, as of the latter's brothers Bhagwa should be appointed, but Bhagwa does not seem to me to be of proper age & fit to discharge the duties. Ghanshiaffa is too dead also I had ordered Ghanshiaffa 2nd to look after the duties temporarily

till another was appointed. That being my impression I found that it was impossible to collect the fine on impounded cattle, & I reported the fact to the Ch. Commissioner who ~~was~~ desired me to recommend the permanent man soon as to report when the fine was collected. I have reported but have not yet received final orders. I therefore do not think that this case deserves to be made permanent. Kiriapia is a close prisoner for the deceased Gaiapia & last once in 1882 viz. to fill for a period of one year when Gaiapia was sentenced to imprisonment. He has deposed before me that he wants to either bring back the Commissioner, or to the appointment of the aforesaid Tauhara, if she should make the Commissioner. I therefore, await orders on the point. Mrs. I have only to say that in my opinion I found that if any one of the Commissioners should be appointed the Natives do not consent to it. Each of them claims to be made the Commissioner. If it is not possible to make any arrangement then would omit the name of the other candidates. I solicit orders regarding the appointment of Kiriapia & on the pay to be given to Commissioner. During his absence of office.

Examination of Dr. Reg. 4 49 Extract from the 2d Register of 1880 Reg. 202 of 22.12.80 for the Legislative Council Office Addressed to the Chief Secretary of Chittagong

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Appendix Volume 2 and see Extract from the Civil Register from 1874 to 1880. The Register of 1874 Contains the name & names that are given in the Garo Hills Register with 2 more names, viz, Rasalingaiya & Sallaiya, ex. Mr. Carr. But under the head of Officiators there appears the names of Maramaiya, Maramaiya, Rasalingaiya & Sallaiya in the Register of 1880 there appears, as in the Garo Hills Register, only 4 names as Registered Vaidars; & under the head of Officiators the same 4 names appear. Of the Officiating Joint Vaidars there is mentioned a total of 5 names. These names in the Register Vaidars of the above said Vaidars. But during the Garo Hills settlement, after referring to the documents & the examination of the Vaidars &, only the names of the Civil Registers seem to have been mentioned out of these, the Civil Register Extracts seems

14

seems to have been nominated
officiator by the Registrars
& Assistants had signified their
consent. Even during the present
enquiry the Executors of the
Registered Trustees have been summoned
owing to the largeness of the estate
the Executors of the Registrars &
the Assistants - joint Assistants like
wise unanimously consent to a sole
Trustee, though competent being
appointed. Three being first among
them, each claims to be appointed
for himself, hence it is impossible
to close one with the consent [illegible].
Hence, as already reported, it is
necessary that good should
appoint a competent person from
among the Trustees. I have
reported that while there are
competent persons in the family
of the Mr. Regr whether it is
necessary for to get the
remaining Trustees & therefore
one among the former may be
elected. The claim either of the
deceased Surappa (Sankara)
says that the lands mortgaged
to the opponent, and the Junior
Widow lands Gurusiddappa (?)

(15)

(Patēl claim)

Pet^{n} no 2447 of 1895-96
(+ subsequent petitions)

Petitioners – 1 Lehannappa
2 Mahadevappa

Subject – Application for a review of Govt order no 3837 & 22/10/95 appointing Pet & P8 Counter-petitioner Gurupadappa as sole patel of Asagod

The Patēl of Asagode originally belonged to four hessedars named (1) Bharamanna (2) Dodd Bharamanna (3) Kenchappa and (4) Kalgere Siddalingaiya, the first three of whom were the ancestors of the Counter petitioner, the 1st and 2nd petitioners respectively. All the four families had the enjoyment of the office for some time. At the Police Settlement of 1878 one Gurappa a descendant of the first hessedar was, with the consent of the remaining hessedars appointed sole Patēl. He died in 1885 and was succeeded by

his Cousin Karyappa, father
of Counter-petitioner Kuruppadappa
On his death in 1893, the Dy Comm^r
relying on Govt Proceedings No
Col 0267 - 75 of 3rd January 1894
R 1053
appointed the 1st & 2nd petitioners as the Revenue and
Police Patels of the village
on the ground that the office
was in the enjoyment of the
1st family for a long time and
that every hereditary Patel be
given an opportunity to hold
the office for some time
In an appeal by the Counter-
petr to Govt, the Dy Comm^r's
order was revised & Govt order
of 3rd January 1894 ~~being~~ Not superseding
~~to be Consd modified by~~
the hereditary principle enun-
ciated in the Land Rev rules.
(Serial No 8 on the file)
It is against this order

Now the widow says in her petition to the Court she is for Gurusi Daya's (?) appointment & the has stated the same in her application to the Court. Such discrepant statements of these ladies seem to me to be the nature of Jiri in the village & they seek to threaten. They are attended by the different partizans. Of the 2 chief Traders Gulab. & Rup Hardas, viz, Harisha & Gurus-Siddapa (?), the latter does not deserve to be appointed as his name is connected with some irregularity done by him in a former case. As for the former, he has looked after the Polygars before & is a competent person & I have therefore already recommended him to be appointed. Further enquiry into the matter seems to me to be unnecessary & I have therefore submitted this report soliciting orders.

On this the following order has received from the Hon'ble Court

18

Vide extract from the Proceedings of the Magistrate's Court P.R.: No. 3/49 dated 25-3-49.

Translation

Vide regarding the Petition of Asagode, as per your recommendation it is sanctioned?

The order given to Keriakka Attorney-at-Law is contained in P.R. No. 62.

in a modernized form

Statistics of Mangalore, Jagalur Taluk
Chitaldrug District

57

III Talagere Siddalingappa

Siddappa

Siddappa ©

II Karide Ranji Kenchappa.

Rangappa ©

Kenchappa

Bharamappa

Siddappa

Rangappa

Achappa.

Cost: A. B. C. D. E. F. were the claimants in the suit other than the appellants.

D was injured in the said fight of Judicial Stamps

G ——— of Execution

F ——— as he was not appointed by the Court

C ——— as he had received his right share of A & B; & his name appeared in the Decree Sheet subsequently by order of Court on the authority of Govt. Order No. 1026-105 dated 31.10.1905 & his name was struck off the claimants; but he was allowed to have taken any serious part.

Table of Descent as laid down in Raja Sir Appa Rao's Case

I Bharamappa

II Doddabharamamma

Bharamappa · Gowrappa · Venkatappa · Lingappa.

Thippamma

Gurappa

Basappa.

Kuruvappa · Thippamma · Siddappa · Basappa.

Chennabasamma · Lingappa

Kachappa · Byrappa.

Kenchavva · Basalingappa

Bharamappa · Lingappa · Doddabasappa · Sarana Basappa.

Gurappa. 1st Officiator Patel from 1865-85.

Y

Y Gurushidda · Basappa.

Kittappa 2nd Officiator Patel from 1885-98. · Siddappa.

H Kari Basappa

Gurushidappa · Basappa · Channappa · Lingappa.

Minors: Applicants to succeed to the deceased Patel as per Rev: Suit 818 of 22.10.95.

Lingappa

Doddabasappa

Siddappa ⊙ (Executors adopts A)

Basalingappa

A. Channappa · Nagappa

appointed Rev: Patel as per Government order appointed against

Note: The mark ⊙ denotes the persons whose names are entered as Registered in the Register of 1865.

The Dy Commissioner cannot be upheld - The deceased Patel has left a son who is a minor and he is entitled to be registered. During his minority a competent person - mantri will be appointed by the Dy Comr. and before doing so the matter of genuineness will be ascertained. It is necessary to fix the charge in-to Police and Revenue - One Jamadar seems sufficient

12/11/35

Appeal No 21 of 1895-96.

Appellant:
Gurupadappa, minor
by guardian Channabasappa

Respondents
1. Channappa
2. Bahadurappa
3 Gurusiddappa

District regarding the Shanthage
of Nagarlu in the Jayalur Taluk.

List of papers.

(1) Deputy Commr's docket
(2) Official Memorandum
(3) Appeal petition
(4) Copy of the order appealed against.
(5) Genealogical table. x

2 [illegible] That petitioners have appealed
A precis of the regard in the appeal
Office is appended
Forwarded to the D. H-o
for submission to the Dewan
(Dewan's order on petn
" Let me see the file ")

MV
4.2.17

L-R 124-95-1

(3) (2)

Gen. Serial No. 32.]

1895

No. 297

Name of Petitioner.

Village.

Taluk.

District.

Date of Arzi.

Date of Receipt. 13-7-95

Date of Disposal.

No. of Enclosures. 2

ABSTRACT.

L.R 124-95-6 (8)

33

Proceedings of the Govt of Mysore

Read:—

(1) Petition No 297/A.S.21, dated 19th July 1895, presented by Gurupadappa, minor, represented by guardian Channabasappa of Asagodu, Jagalur taluk, appealing against the order of the Deputy-Commissioner of Chitaldrug appointing the 1st and 2nd Respondents Channappa and Mahadevappa as the Revenue and Police Patels of Asagodu in the ~~Chitaldrug~~ Jagalur ~~taluk~~.

(2) Records received with the Chitaldrug Deputy-Commissioners docket-No 197/118 dated 10th September 1895, which show the facts to be as follows:—

The Patels of Asagodu originally belonged to four Hiscdars named Bharamanna, ~~Siddu~~ Dodda Bharamanna, ~~Siddu~~ Kenchappa, and ~~Bagaiah~~,

and Kalagere Siddalingaiya,
the first three of whom were
the ancestors of the appellant,
1st ~~and~~ Respondent and the
2nd Respondent, respectively.
All the four families had
the enjoyment of the office
for some time. At the
Potaji Settlement of 1878
one Gurappa ~~of the~~ a descendant
of the first Hiriyadaru was,
with the consent of the other Hiriyadaru,
appointed the sole Patel.
He died in 1885 and was
succeeded by his cousin
Kariyappa, father of the
appellant Gurupadappa.
On his death in 1893, the
Deputy Commr, relying
upon the Govt Proceedings
of 10267-75 / R 105-5- dated 3rd January
1894, appointed the 1st and
2nd Respondents as Revenue
and Police Patels of the village,
on the grounds that the office
of Patel was in the enjoyment
of the 1st family & for a long time
and that every Hiriyadaru

84

Pet 222 / 30-8-95
L.R. 12 / 94-95-2 20-7-95

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT. (3)

27

OFFICIAL MEMORANDUM.

The accompanying Petition No. 297

dated ~~~~~ received at the

Dewan's Office from Canara Sakpa

of Kodial, Pergalur Taluk

appealing against the order

passed on Rev. Case No. 20 of 1894-95 relating

to Partition of Property

is forwarded, together with its Enc

enclosures, to the Dy Commissioner

Chikmagalur District, with a

request that he ~~will report~~ may be pleased

to cause an enquiry in the

case ~~to be instituted~~ by the Assistant

Commissioner, Kadur Taluk, and ~~to transmit~~ submit

~~with the papers, and also report whether the~~

statement on the affidavit

filed before the Commissioner

mentioned by the Appellant

on appeal is true.

may be returned duly

2. The petition with its enclosures

should be returned.

By Order,

Draft 25-7-95

Chief Secretary.

BANGALORE, 189

Rev.

SKR 24/7 BRay 7

M.G.C.P, Bangalore.—8-5-94.—1,000.

L.R. 124 - 952 - 3

Gen. Serial No. 314

REVENUE DEPARTMENT
GL No. 1159
1 AUG 05
Ref 131
REVENUE OFFICER

24

From

Chief Deputy Commissioner
Chittagong

To

The Secretary to the
Government of Eastern Bengal

Dated 3

Despatched 3 August

Received

Enclosures No. 3

General No. 86

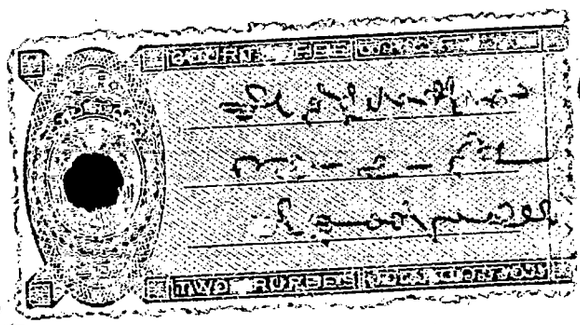
No. 59

Dias the Revenue Petition=
=-ist the petition from a
Garoadoya of Bengale,
Joydeb Saha, received
with Memo No. 2?? dated
2?? ultimo, and to state
the date of the sale in Case
inserted in the Form filed
by the petitioner with his
Appeal petition.

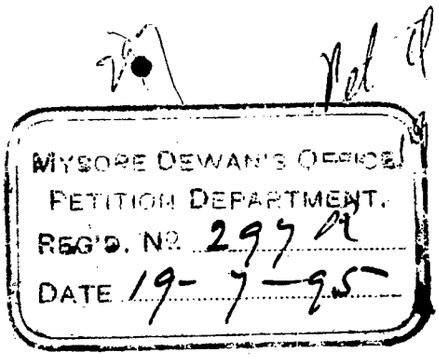
2. He appears that the
parties in this Case were
respectively directed to
whom the order was Commu=
=nicated in person on the
1st April 1905, the sale to
the Purchaser having been
fixed for 3rd May 1905.

Revenue Officer

Chief Deputy Commissioner
Chittagong.



(1)



Ref 19/7/95

Encl

Memorandum for appellate stamp affd

Regd post

20/7/95 Ex. 2

R.S. 21 of 95-96

In the court of the dewan

in council

Revenue appeal No of 1895-96.

Appellant	Respondents.
Ganapaidappa minor through Chandrappa guardian ad litem in appeal Petitioner duly represented	1 Chinnaya son of Basa Naiyappa. 2. Nanjedevappa son of Basa Naiken 3 Gurusidappa.

The appellant above named begs to appeal against the decision of the deputy Commissioner of Chitteldroog district in Revenue suit case No 12 of 1894 on the following grounds:—

1. The respondents or their ancestors has no enjoyment of the patail Hak since more than 60 years and if the respondents or their ancestors had any right to the office the same is barred by limitation

The proceedings of the

Government in Re 10267-7 Seen
R.105-S
apply to the case.

The Lower court erred in appointing the respondent 4 had the same court in the year when the right to the office was in dispute between the applicant father and the respondent held that the respondents had no right to the office.

The decision of the Lower court is against law, weight of evidence and probabilities of the case.

As the applicant is minor unable to appeal himself directly and his next friend has explained the delay caused to prefer this appeal in his affidavit annexed to this petition.

The applicant's next friend most respectfully prays that the delay may be excused and the appeal admitted for hearing.

Advocate for the Petitioner

(10)

189

No. 2447 L.R. 124-95-8

Name of Petitioner, [illegible]

Village, [illegible]

Taluk, [illegible]

District, [illegible]

Date of Arzi, 24.10.95

Date of Receipt, 9.1.96

Date of Disposal,

No. of Enclosure, 2

ABSTRACT.

[illegible]

Rev. Secretary:
"Let me see the file"
(Sd) K.S. 23/1/96

24/ References put up 24/1/96

Pet 396
L.R. 124 95-1st 21-8-95

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

5

21

OFFICIAL MEMORANDUM.

The accompanying Petition No. 297

dated 21st Aug 95 received at the

Dewan's Office from Gurupadappa, minor

guardian, Siddabasappa s/o Mallur,

Jagalur Taluk, appealing against

the order of the Deputy Commissioner

Chitaldrug, in Civ. Suit No. 12 of

regarding the Partition of Property.

is forwarded, together with its five

enclosures, to the Deputy Commissioner

Chitaldrug district for submission

of the entire proceedings connected

with the case.

The Petition and its enclosures

should be returned.

By order,

H C L 16/8

Personal Assistant Secretary.

C.2.

BANGALORE,

16 8 1895

21.

H C L

16/8.

L.R. 124-982 S (11)

Gen. Serial No. 31

REVENUE DEPARTMENT
Gl. No. 207
189 5. No.
13 SEP 95
DEWAN'S OFFICE

32

From The Assistant Commissioner
Mandalay District (6)

To The Revenue Secretary to
Government of Burma

Dated 12th September 1895.

Despatched

Received

Enclosures No. 3 with Record
Sent Separately

General No. 127.
No. 118.

With reference to his
Official Memorandum
No: 2d: 396. dated 18th Ultimo,
has the honor to submit
herewith Records connected
with Patel Case of Asa=
=gyaw Jagalur Taluk.
The Petition and its
Enclosures received with
the above are herewith
returned.

Assistant Commissioner
Offg: Deputy Commr:
Mandalay Distt:

Ref. To be posted for Mg

Ref
ACh
13/9/95
Copy noting upon 118/9

Noted Jeans & Co
keeper stamp &
Fd 13/9

Record noting with
regular Mandalay
Report No: 3 dated
17th July 1895.

Post at Mgs for noting
to 12th Sept
29/8/95

should be given an opportunity
to hold the office for some time.
The present appeal is against
the above order.

4

22-10-85
23

3837 8

Petho 818

Order thereon.

The Deputy Commissioner's
order cannot be upheld.
The deceased Patel has left
a son who is a minor.
and he is entitled to be
registered. During his
minority, a competent
guardian will be appointed
by the Deputy Commissioner
and before doing so, the
wishes of the Mother of
guardian will be
ascertained. It is unnecessary to split the charge
into Police and Revenue.

One guardian seems

sufficient.

36

Draft
C243.

22/10/95
Revenue Secretary

To

The Deputy-Commr
Chikballapur Circle, Kolar
Records.+

S.V.
14/10.

+ Records Checked & sent.
Sd/- K 28/10/95

37

L.R. 124-95-7 (9)

[illegible]

By order

Draft

Revenue Secretary.

S.V. 14/10.

[illegible]
23-10-98

(13)

(General Serial No. 30.)

189

From L.R. 124-95-9

The ~~Chief~~ Secretary to the Dewan of Mysore.

To The Deputy Commr Chitaldroog

Dated 16-12 Dec/96.

Despatched 19

Received

(935) Enclosures No.

General No. 5538
P.S. No. 32-96

Has the honor Pregnant that he will be so good as to forward at an early date, the entire records connected with the Pattam of Addagode-Jaggalur Taluk, returned with this office ~~of~~ No. 3837 of 23rd October 1895. ~~Pattam~~ 818

By order

draft

for Secretary

References to be marked.

Mysore Govt. C. Press, Bangalore.—9-1-93.—3,000.

c 58

MYSORE DEWAN'S C
PETITION DEPARTMENT.
REG'D. NO.
DATE 9-1-96

ಕೆಲವು ಸಲ ಅವರು ಮಾತನಾಡುವಾಗ ಅವರ ಮಾತುಗಳಲ್ಲಿ ಸ್ಪಷ್ಟತೆ ಇರುವುದಿಲ್ಲ. ಅವರು ಹೇಳಿದ್ದು ಏನು ಎಂಬುದು ಅರ್ಥವಾಗುವುದಿಲ್ಲ.

[illegible]

[illegible] 18-8 [illegible]

[illegible]

[illegible] 30-8-85 [illegible] 242 [illegible]

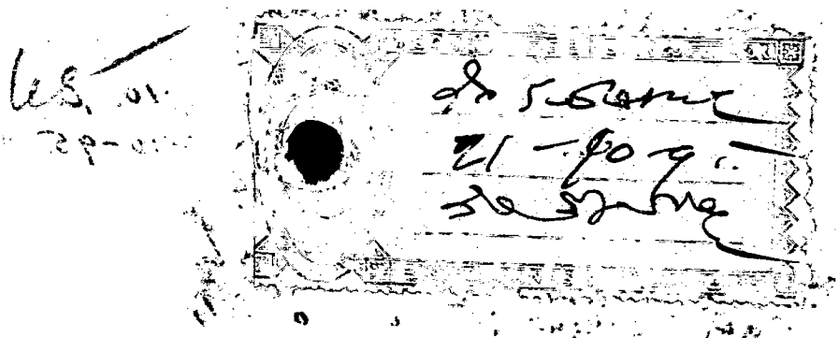
22-12-85 [illegible] 362 [illegible]

10-8-85 [illegible] 3-1-86 [illegible]

298 [illegible]

[illegible] 7-8 [illegible]

[illegible]



Proceedings of the Government of Mysore

Read:—

× × × × ×

× × × × ×

× × × × ×

Order thereon No. 3837
Ref. 818

Dated Bangalore 22nd October 1895

The Deputy Commissioner's order cannot be upheld. The deceased Patel has left a son who is a minor, and he is entitled to be represented during his minority, a competent guardian will be appointed by the Deputy Commissioner and before doing so, the wishes of the mother of Gurrupadappa will be ascertained. It is unnecessary to split the charge into Police and Revenue. The Guardian seems suitable

(sd) C. Srinivasaiengar
Revenue Secretary

True Extract

[illegible]

for Revenue Secretary

[illegible]

Date of application for copy 12-10-95 16
Date ready for delivery 22-10-95
Date delivered 22-10-95

No of words 81

Copying fee 0-1-6

Search fee 0-0-4

Total - 0-1-10

Subsequent to D.F. 32 of 1896 on the subject. AK 18/1/97

Submitting the reference to the Secretary's order on paste 1708 of 26.8.

(Serial No 12 in the file)

19/1/97

(Arrange record properly & then submit with a precis (the records have the minute of Dewan)

21/1

ans. G.C. Dewan

24/1

attended to 29/1

AK.

(4)

Gen. 31.]

REVENUE DEPARTMENT
Gl. No. 4477
7 JAN. 97
SECRETARIAT OFFICE

L.R. 124 — 96-97

From The Deputy Commissioner Chitaldrug District

To

The Secretary to the Government of Mysore and Dewan of Mysore.
General and Revenue Departments

Dated 4th January 1897.

Despatched 5th January 1897.

Received

General No. 537
No. 492

Enclosure No. Record sent separately.

With reference to his docket no. 5533 dated 8.7.32.96 16th ultimo, I have the honour to submit herewith the entire records connected with the Patels of Anagode Village in Jagalur Taluk.

I am
Sir
Your most obedient
servant
Deputy Commissioner
Chitaldrug District

Returned
7-1-97

(16)

S7

L.R. 124-95-11

2/3/97

By order

for Secretary

Draft